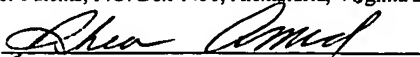


77 DEC 6 PCT/PTO

PATENT  
Docket No. 564462003801

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on August 18, 2004.

  
Rhea Amid

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Gerhard FREY et al.

Serial No.: 10/501,592

Filing Date: (Int'l) January 14, 2003

For: METHODS FOR MAKING  
POLYNUCLEOTIDES AND  
PURIFYING DOUBLE-STRANDED  
POLYNUCLEOTIDES

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 10/345,826, filed January 14, 2003, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R.

§1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

The documents listed on the attached Form PTO-1449 were cited in an International Search Report mailed on July 6, 2004 (copy attached) directed to a counterpart international or foreign application. A certification under 37 C.F.R. § 1.97(e)(1) follows:

I hereby certify that each item of information was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \_\_\_ is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_\_ is enclosed.

☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

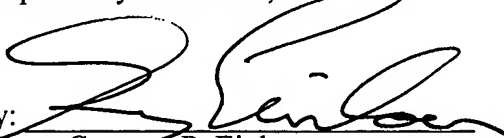
Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **564462003801**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 18, 2004

Respectfully submitted,

By: 

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<b>Form PTO-1449</b>  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>	Docket Number 564462003801	Application Number 10/501,592
	Applicant  Gerhard FREY et al.	
	Filing Date (Int'l) January 14, 2003	Group Art Unit Not Yet Assigned
	Mailing Date August <u>18</u> , 2004	

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	05/1998	5,750,335	Gifford	435	6	
	2.	04/2000	6,046,036	Kelley et al.	435	69.7	
	3.	09/2000	6,114,115	Wagner, Jr.	435	6	
	4.	09/2001	6,294,325	Wetmur	435	6	
	5.	10/2001	6,297,010	Stefano	435	6	
	6.	04/2002	6,365,355	McCutchen-Malony	435	6	

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	7.	International Search Report mailed on July 6, 2004, for PCT patent application no. PCT/US03/01189, filed on January 14, 2003, 5 pages

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.